

EXHIBIT 8



THE CITY OF SAN DIEGO

February 11, 2008

Brian Cook
President
Brian Cook and Associates
4026 Hawk Street, Suite "D"
San Diego, CA 92103

Dear Mr. Cook:

Subject: American Tower Mission Valley/Diablo; Project No. 123937

This letter is to inform you that the above-referenced project is being closed out as a result of the Planning Commission's February 7, 2008 decision to deny the appeal and deny Conditional Use Permit No. 423280.

The deposit account for the project has been closed. In approximately 6-8 weeks, the financially responsible party for the deposit account will receive any remaining funds in the account, provided the account is not in deficit. In the event the account is in deficit, the financially responsible party will continue to receive account statements showing the negative balance due until payment is received.

Neighborhood Code Compliance will be informed of the expired Conditional Use Permit.

If you have any questions, I can be reached at (619) 446-5349 or via e-mail at ahempton@sandiego.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Alex Hempton".

Alex Hempton, AICP
Associate Planner

Enclosures:

1. Resolution

cc: File



PLANNING COMMISSION
RESOLUTION NO. 4365-PC
CONDITIONAL USE PERMIT NO. 423280
AMERICAN TOWER – MISSION VALLEY (DIABLO)
PROJECT NO. 123937

WHEREAS, Wawanesa Mutual Insurance Company, Owner, and American Tower Corporation, Permittee, filed an application with the City of San Diego for a permit for a wireless communication facility;

WHEREAS, the project site is located at 9060 Friars Rd. in the IL-2-1 zone of the Mission Valley Community Plan;

WHEREAS, the project site is legally described as Parcel 2 No Map No. 15779;

WHEREAS, on August 1, 2007, the Hearing Officer continued this project to September 12, 2007 in order to obtain additional information from staff and the applicant;

WHEREAS, on September 12, 2007, the Hearing Officer denied Conditional Use Permit No. 423280, pursuant to Hearing Officer Resolution No. HO-5835;

WHEREAS, on September 21, 2007, Julian Quattlebaum, Channel Law Group, LLP, on behalf of American Tower Corporation, appealed the denial of Conditional Use Permit No. 423280;

WHEREAS, on December 13, 2007, the Planning Commission continued this project to February 7, 2008 in order for the applicant to make changes to the project in order to comply with the regulations;

WHEREAS, on February 7, 2008, the Planning Commission of the City of San Diego reviewed, considered, and denied Conditional Use Permit No. 423280, pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated February 7, 2008.

FINDINGS:

Conditional Use Permit - Section 126.0305

1. The proposed development will not adversely affect the applicable land use plan;

This facility was originally approved by the Planning Commission on September 12, 1996. The Conditional Use Permit (CUP) included a ten year expiration. At the time of approval, the City did not have applicable regulations for these types of facilities so the City Council imposed a ten year limit in order to re-evaluate the project in light of new regulations and or policies that may be

in effect. American Tower Corporation is now seeking to obtain a new CUP to maintain the facility as is.

Neither the City of San Diego General Plan nor the Mission Valley Community Plan addresses wireless communication facilities as a specific land use.

2. The proposed development will not be detrimental to the public health, safety, and welfare;

The Telecommunication Act of 1996 preempts local governments from regulating the "placement, construction and modification of wireless communication facilities on the basis of the environmental effects of Radio Frequency (RF) emission to the extent that such facilities comply with the Federal Communication Commission's (FCC) standards for such emissions." For projects that are approved, a condition is included in the permit to require that the permittee perform a cumulative RF analysis and submit the finding in a report to the City of San Diego within 90 days of approval of the CUP.

3. The proposed development will comply to the maximum extent feasible with the regulations of the Land Development Code; and

This facility was originally approved by the Planning Commission on September 12, 1996. The Conditional Use Permit (CUP) included a ten year expiration. At the time of approval, the City did not have applicable regulations for these types of facilities so the City imposed a ten year time limit in order to re-evaluate the project in light of new regulations and or policies that could be in effect. Over the years, various antennas, cameras, and other components have been added and removed from the lattice tower. The tower was originally built and operated by another entity. The new owner, American Tower Corporation is now seeking to obtain a new CUP to maintain the facility as is.

Since 2000, the City has had a Communication Antenna ordinance that requires architectural or environmental integration with the project site. Pursuant to the San Diego Land Development Code, wireless communication facilities are permitted in all zones citywide with the appropriate permits. Wireless communication facilities are separately regulated uses, which have limitations or require compliance with conditions in order to minimize potential impacts. The intent of the regulations is to camouflage facilities from public view. In this case, the lattice tower is one of the tallest structures in the area in which it is located and as such, it has an incongruous effect on the community's landscape. It is situated prominently along Interstate 805, which serves as a major north south transportation corridor and it poses an unsightly visual impact for those that utilize this corridor. This tower can also be seen from a distance along Interstate 8 and many parts of the community of Mission Valley and from across the canyon in North Park.

Section 141.0405 of the Land Development Code differentiates between minor and major telecommunication facilities. Minor telecommunication facilities include those that are concealed from public view or integrated into the architecture or surrounding environment through architectural enhancement (enhancements that complement the scale, texture, color and style) unique design solutions, or accessory use structures. Major telecommunication facilities are

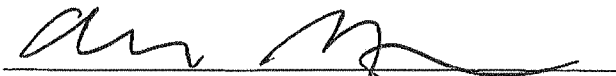
antenna facilities that do not meet the criteria for minor telecommunication facilities or they are located in residential zones containing residential uses. Similar to minor facilities, they also need to be designed to be minimally visible through the use of architecture, landscape architecture and siting solutions. This project does not conform to this code requirement. As it exists, it is a significant visual impact along Interstates 805 and 8, which serve as major transportation corridors through the city. Many commuters pass through this section of the city on a daily basis and are subjected to the unsightliness associated with this project. Residents, across the canyon also have direct views of this facility.

The Planning Commission continued this project in order to allow American Tower Corporation time to develop a design that would comply with the regulations. At the December 13, 2007 hearing, the Planning Commission provided recommendations on what could be done to comply with the regulations. At the February 7, 2007 hearing, the Planning Commission expected American Tower Corporation would present a project that complied with the regulations. Unfortunately, only one element—landscape architecture—was addressed. The other elements, architectural integration and siting solutions—were not addressed. Therefore the Planning Commission was not able to find that this project complies, to the maximum extent feasible, with the regulations of the Land Development Code.

4. The proposed use is appropriate at the proposed location.

As currently designed, a wireless communication facility at this location is an inappropriate use. If the project was designed in compliance with the ordinances and policies that regulate these types of facilities, the facility could be appropriate at this location.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Conditional Use Permit No. 423280 is hereby DENIED by the Planning Commission.


 Alexander Hempton, AICP, Associate Planner
 Development Services Department

Adopted on: February 7, 2008

Job Order No. 42-7478

EXHIBIT 9

- (B) Limitations on the number of on-premises fund-raising or social activities to a specific number of occurrences each year.

(Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)

§141.0405 Communication Antennas

- (a) Section 141.0405 regulates the following communication antennas. Amateur (HAM) radio facilities or temporary telecommunication facilities necessitated by natural or man-made disasters are not regulated as communication antennas. Section 141.0405 does not apply to single dish antennas smaller than 24 inches in diameter or to remote panel antennas less than 24 inches in length and in width, except when associated with another telecommunication facility.
- (1) Minor telecommunication facilities: Antenna facilities used in wireless telephone services, paging systems, or similar services that comply with all development regulations of the underlying zone and overlay(s) and that meet the criteria in Section 141.0405(e)(1) or (2).
 - (2) Major telecommunication facilities: Antenna facilities that do not meet the criteria for minor telecommunication facilities in Section 141.0405(e)(1) or (2).
 - (3) Satellite antennas: Antennas capable of transmitting or receiving signals to or from a transmitter or a transmitter relay located in a planetary orbit. Satellite antennas include satellite earth stations, television-reception-only satellite antennas, and satellite microwave antennas.
- (b) General Rules for Telecommunication Facilities
All telecommunication facilities must comply with the following requirements:
- (1) All approved telecommunication facilities must comply with the Federal standards for RF radiation in accordance with the Telecommunication Act of 1996 or any subsequent amendment to the Act pertaining to RF radiation. Documentation shall be submitted to the City providing evidence that the cumulative field measurements of radiofrequency power densities for all antennas installed on the premises are below the Federal standards.

- (2) Except in the event of an emergency, routine maintenance and inspection of telecommunication facilities located on residentially zoned *premises*, including all of the system components, shall occur during normal business hours between 8:00 a.m. and 5:00 p.m. Monday through Friday.
- (3) Antenna facilities or associated equipment proposed for installation in the *public right-of-way* are subject to the following regulations:
 - (A) Antennas or associated equipment located in *public right-of-way* which is adjacent to a residentially zoned *premises* may be permitted with a Neighborhood Use Permit.
 - (B) Antennas and associated equipment located in the *public right-of-way* adjacent to non-residentially zoned *premises* are subject to review and approval by the City Manager.
 - (C) All equipment associated with antenna facilities shall be undergrounded, except for small services connection boxes or as permitted in Section 141.0405(b)(4).
 - (D) A construction plan must be submitted to and is subject to review and approval by the City Engineer in accordance with Chapter 6, Article 2.
- (4) Antennas and associated equipment located in the *public right-of-way* may be placed above ground only if the equipment is integrated into the architecture or surrounding environment through architectural enhancement (enhancements that complement the scale, texture, color, and style), unique design solutions, enhanced landscape architecture, or complementary siting solutions to minimize visual or pedestrian impacts. These facilities may be permitted with a Conditional Use Permit decided in accordance with Process Three.
- (c) Temporary facilities that provide services to public events and are limited to a one-time maximum duration of 90 calendar days are subject to the temporary use permit procedures in Chapter 12, Article 3, Division 4.
- (d) All telecommunication facilities that are required to obtain encroachment authorization to locate on city-owned dedicated or designated parkland or open space areas shall comply with the following:

Ch.	Art.	Div.	
14	1	4	5

- (1) The City Manager shall determine that the proposed facility would not be detrimental to the City's property interest; would not preclude other appropriate uses; would not change or interfere with the use or purpose of the parkland or open space; and would not violate any deed restrictions related to City property, map requirements or other land use regulations.
- (2) The proposed facility shall be integrated with existing park facilities or open space; shall not disturb the environmental integrity of the parkland or open space; and shall be disguised such that it does not detract from the recreational or natural character of the parkland or open space.
- (3) The proposed facility shall be consistent with The City of San Diego Progress Guide and General Plan.

(e) Minor Telecommunication Facilities

Minor telecommunication facilities are permitted as a limited use or may be permitted with a Neighborhood Use Permit in the zones indicated with an "L" or an "N", respectively, in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

- (1) An antenna facility will be considered a minor telecommunication facility if the facility, including equipment and *structures*, is concealed from public view or integrated into the architecture or surrounding environment through architectural enhancement (enhancements that complement the scale, texture, color, and style), unique design solutions, or *accessory use structures*.
- (2) In an effort to encourage collocation and to recognize that some telecommunication facilities are minimally visible, the following shall be considered minor telecommunication facilities:
 - (A) Additions or modifications to telecommunication facilities that do not increase the area occupied by the antennas or the existing antenna enclosure by more than 100 percent of the originally approved facility and do not increase the area occupied by an outdoor equipment unit more than 150 feet beyond the originally approved facility, if the additions and modifications are designed to minimize visibility.

- (B) Panel-shaped antennas that are flush-mounted to an existing *building facade* on at least one edge, extend a maximum of 18 inches from the *building facade* at any edge, do not exceed the height of the building, and are designed to blend with the color and texture of the existing building.
- (C) Whip antennas if the number of antennas that are visible from the *public right-of-way* does not exceed six, if the antennas measure 4 inches or less in diameter, and if they have a mounting apparatus that is concealed from public view.
- (3) Minor telecommunication facilities are not permitted in the following locations:
 - (A) On *premises* that are developed with residential uses in residential zones;
 - (B) On vacant *premises* zoned for residential development;
 - (C) On *premises* that have been designated as *historical resources*;
 - (D) On *premises* that have been designated or mapped as containing sensitive resources;
 - (E) On *premises* within the *MHPA*; or
 - (F) On *premises* that are leased for billboard use.
- (4) The installation of a minor telecommunication facility shall not result in the elimination of required parking spaces.
- (5) Minor telecommunication facilities that terminate operation shall be removed by the operator within 90 calendar days of termination.
- (f) Major Telecommunication Facilities

Major telecommunication facilities may be permitted with a Conditional Use Permit decided in accordance with Process Three, except that major telecommunication facilities on dedicated or designated parkland and open space may be permitted with a Conditional Use Permit decided in accordance with Process Five, in the zones indicated with a "C" in the Use Regulations

Ch.	Art.	Div.	
14	1	4	7

Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

- (1) Major telecommunication facilities are not permitted in the following locations:
 - (A) On *premises* containing designated *historical resources*;
 - (B) Within viewsheds of designated and recommended State Scenic Highways and City Scenic Routes; or
 - (C) Within ½ mile of another major telecommunication facility, unless the proposed facility will be concealed from public view or integrated into the architecture or surrounding environment through architectural enhancement (enhancements that complement the scale, texture, color, and style), unique design solutions, and *accessory use structures*.
 - (D) Within the Coastal Overlay Zone, on *premises* within the MHPA and/or containing *steep hillsides* with *sensitive biological resources*, or within public view corridors or view sheds identified in applicable *land use plans*.
- (2) Major telecommunication facilities shall be designed to be minimally visible through the use of architecture, landscape architecture, and siting solutions.
- (3) Major telecommunication facilities shall use the smallest and least visually intrusive antennas and components that meet the requirements of the facility.

(g) Satellite Antennas

Satellite antennas are permitted as a limited use subject to Section 141.0405(g)(2), and may be permitted with a Neighborhood Use Permit subject to Section 141.0405(g)(3), or with a Conditional Use Permit decided in accordance with Process Three subject to Section 141.0405(g)(4).

- (1) Exemption. Satellite antennas that are 5 feet in diameter or smaller are permitted in all zones and are exempt from this section.

- (2) Limited Use Regulations. Satellite antennas that exceed 5 feet in diameter are permitted as a limited use in the zones indicated with an "L" in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.
- (A) Satellite antennas are not permitted within the *MHPA*.
 - (B) Satellite antennas are not permitted on *premises* that have been designated as *historical resources*.
 - (C) Satellite antennas shall not exceed 10 feet in diameter.
 - (D) Ground-mounted satellite antennas shall not exceed 15 feet in *structure height*.
 - (E) Ground-mounted satellite antennas shall not be located in the *street yard*, *front yard*, or *street side yard* of a *premises*.
 - (F) Satellite antennas shall not be light-reflective.
 - (G) Satellite antennas shall not have any *sign copy* on them nor shall they be illuminated.
 - (H) Ground-, roof-, and pole-mounted satellite antennas shall be *screened* by fencing, buildings, or parapets that appear to be an integral part of the building, or by landscaping so that not more than 25 percent of the antenna height is visible from the *grade* level of adjacent *premises* and adjacent *public rights-of-way*.
- (3) Neighborhood Use Permit Regulations. Proposed satellite antennas that do not comply with Section 141.0405(b)(2) may be permitted with a Neighborhood Use Permit subject to the following regulations.
- (A) Satellite antennas are not permitted within the *MHPA*.
 - (B) Satellite antennas are not permitted on *premises* that have been designated as *historical resources*.
 - (C) Satellite antennas shall not exceed 10 feet in diameter.
 - (D) Satellite antennas shall not be light-reflective.

Ch.	Art.	Div.	
14	1	4	9

- (E) Satellite antennas shall not have any *sign copy* on them nor shall they be illuminated.
- (F) The visual impacts of the antenna to adjacent *premises* and adjacent *public rights-of-way* shall be minimized by the positioning of the antenna on the site and the use of landscape or other *screening*.
- (4) Conditional Use Permit Regulations. Except for proposed satellite antennas which are *accessory uses* in industrial zones, proposed satellite antennas that exceed 10 feet in diameter may be permitted only with a Conditional Use Permit decided in accordance with Process Three subject to the following regulations.
 - (A) Satellite antennas are not permitted within the *MHPA*.
 - (B) Satellite antennas are not permitted on *premises* or its appurtenances that have been designated as *historical resources*.
 - (C) The visual impacts of the antenna to adjacent *premises* and adjacent *public rights-of-way* shall be minimized by the positioning of the antenna on the site and the use of landscaping or other *screening*.

(Amended 1-9-2001 by O-18910 N.S.; effective 8-8-2001.)

§141.0406 Correctional Placement Centers

Correctional placement centers may be permitted with a Conditional Use Permit decided in accordance with Process Four in the zones indicated with a "C" in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

- (a) Correctional placement centers are not permitted in any of the following locations:
 - (1) Within the beach impact area of the Parking Impact Overlay Zone;
 - (2) Within 1/4 mile of any type of residential care facility, *social service institution*, welfare institution, or similar type of facility, measured from *property line* to *property line* in accordance with Section 113.0225;

EXHIBIT 10



THE CITY OF SAN DIEGO

January 19, 2006

Doug Kearney
American Tower Corporation, Inc.
2201 Dupont Drive, # 340
Irvine, CA 92612

Dear Doug:

Subject: Sprint/Nextel Border Assessment Letter; Project No. 90476; Job Order No. 42-5670
San Ysidro Community Planning Area

The Development Services Department has completed the first review of the above referenced project.

- A wireless communication facility consisting of a new CUP to allow an existing 90' high monopole supporting 24 antennas for both Cingular and Sprint/Nextel to operate. There are two associated equipment shelters located at the base of the pole located 4350 Otay Mesa Road.

Attached to this assessment letter is a Cycle Issues Report (Enclosure 1) which contains review comments from staff representing various disciplines, outside agencies and the community planning group. The purpose of this assessment letter is to summarize the significant project issues and identify a course of action for the processing of your project.

If any additional requirements should arise during the subsequent review of your project, we will identify the issue and the reason for the additional requirement. To resolve any outstanding issues, please provide the information that is requested in the Cycle Issues Report. If you choose not to provide the requested additional information or make the requested revisions, processing may continue. However, the project may be recommended for denial if the remaining issues cannot be satisfactorily resolved and the appropriate findings for approval cannot be made.

For your information, please be advised of Section 126.0114 of the Land Development Code, which states: The development permit application file shall be closed if the applicant fails to submit or resubmit requested materials, information, fees or deposits 90 calendar days from the date the application was deemed complete or the last written request by the City, whichever is later. Once closed, the application, plans and other data submitted for review may be returned to the applicant or destroyed by the City Manager.



Development Services

1222 First Avenue, MS 501 • San Diego, CA 92101-4155
Tel (619) 446-5460

Exhibit 10
Page 14 of 117

Page 2
Doug Kearney
January 19, 2006

I. REQUIRED APPROVALS/FINDINGS - Your project as currently proposed requires the processing of:

- **Required approvals:**
 - Process 4 Conditional Use Permit and Planned Development Permit
- If the project is redesigned to comply with the underlying zoning regulations for height, the Planned Development Permit would not be required and the process would drop to a Process Three, Hearing Officer decision.
- **Required Findings:** In order to recommend approval of your project, certain findings must be substantiated in the record. Enclosure 2 contains the required findings

II. SIGNIFICANT PROJECT ISSUES: The significant project issues are summarized below. Resolution of these issues could affect your project. Additional explanation is provided in the Cycle Issues Report.

KEY ISSUES:

- COMPLIANCE WITH CURRENT REGULATIONS
 - VISIBILITY/DESIGN
 - HEIGHT
 - TECHNICAL ANALYSIS
 - OUTDOOR STORAGE
 - TIMING
1. THE PROJECT AS IT EXISTS TODAY DOES NOT COMPLY WITH SECTION 141.0405, COMMUNICATION ANTENNA REGULATIONS OR WITH CHAPTER 14, ARTICLE 1, DIVISION 4, RESIDENTIAL BASE ZONES. THE CODE REQUIRES THAT A WIRELESS COMMUNICATION FACILITY BE DESIGNED TO MINIMIZE VISUAL IMPACTS BY DESIGNING THE FACILITY SO THAT IT IS CONCEALED FROM PUBLIC VIEW OR INTEGRATED INTO THE ARCHITECTURE OR SURROUNDING ENVIRONMENT THROUGH ARCHITECTURAL ENHANCEMENT OR UNIQUE DESIGN SOLUTIONS.
 2. THE PROMINENT LOCATION OF THIS PROPERTY DOES NOT LEND ITSELF TO A 90-FOOT HIGH MONOPOLE OR TO AN INSTITUTIONAL EQUIPMENT SHELTER.
 3. WITH THE SIGNIFICANT IMPROVEMENTS THAT HAVE BEEN IN BOTH THE DESIGN AND TECHNICAL DISCIPLINES, IT IS EXPECTED THAT THIS FACILITY WILL BE REPLACED WITH A PROJECT THAT MORE EFFECTIVELY INTEGRATES WITH THE PROPERTY AND COMMUNITY.

Exhibit 10
Page 40 of 117

Page 3
Doug Kearney
January 19, 2006

4. SINCE THE ORIGINAL CUP IS EXPIRED, THIS PROPOSAL IS BEING REVIEWED AGAINST TODAY'S REGULATIONS AND POLICIES AND THEREFORE A THOROUGH TECHNICAL ANALYSIS AS DETAILED IN INFORMATION BULLETIN 536 WILL BE REQUIRED WITH THE NEXT SUBMITTAL. ADDITIONALLY, A DETAILED SITE JUSTIFICATION PER COUNCIL POLICY 600-24 WILL BE REQUIRED.
5. SECTION 142.1110(E) OF THE LAND DEVELOPMENT CODE REQUIRES THAT ALL OUTDOOR STORAGE BE FULLY SCREENED. SEE ATTACHED FURTHER COMMENTS IN THE ATTACHED ISSUES REPORT.
6. SINCE THE ORIGINAL CUP IS EXPIRED AND THIS FACILITY IS NO LONGER PERMITTED, RESOLUTION OF THESE ISSUES IS IMPERATIVE AND A REDESIGN ADDRESSING COMPLIANCE WITH CURRENT REGULATIONS AND POLICIES WILL BE EXPECTED WITH THE NEXT RESUBMITTAL.

III. STUDIES/REPORTS REQUIRED: A number of documents have been identified as necessary to the project's review. Reference the attached Submittal Requirements Report (Enclosure 3).

IV. PROJECT ACCOUNT STATUS: Our current accounting system does not provide for real-time information regarding account status, however, our records show an approximate balance of \$12,305.48.

During the processing of your project, you will continue to receive statements with the breakdown of staff charges to your account. Should you have questions about those charges, please feel free to contact me directly.

V. TIMELINE:

Upon your review of the attached Cycle Issues Report, you may wish to schedule a meeting with staff prior to resubmitting the project. Please telephone me if you wish to schedule a meeting with staff. During the meeting, we will also focus on key milestones that must be met in order to facilitate the review of your proposal and to project a potential timeline for a hearing date. Your next review cycle should take approximately 21 days to complete.

VI. RESUBMITTALS/NEXT STEPS: When you are ready to resubmit, please telephone (619) 446-5300 and request an appointment for a "Submittal-Telecom Resubmittal." Resubmittals may also be done on a walk-in basis, however you may experience a longer than desirable wait time. In either case, please check in on the third floor of the Development Service

1 Exhibit 10
Page 11 of 17

Page 4
Doug Kearney
January 19, 2006

Center (1222 First Avenue) to be placed on the list for the submittal counter. At your appointment, provide the following:

A. Plans and Reports: Six sets of plans as shown on the attached Submittal Requirements Report. The plans should be folded to an approximate 8 ½ x 11 inch size.

B. Cycle Issues Report response letter: Prepare a cover letter that specifically describes how you have addressed each of the issues identified in the Cycle Issues Report and any issues identified in this cover letter, if applicable. Or, you may choose to simply submit the Cycle Issues Report, identifying within the margins how you have addressed the issue. If the issue is addressed on one or more sheets of the plans or the reports, please reference the plan, sheet number, report or page number as appropriate. If it is not feasible to address a particular issue, please indicate the reason. Include a copy of this Assessment Letter, Cycle Issues Report and your response letter if applicable, with each set of plans.

VII. COMMUNITY PLANNING GROUP: Staff provides the decision maker with the recommendation from your locally recognized community planning group. If you have not already done so, please contact David Flores, Chairperson of the San Ysidro Planning and Development Group, at (619)428-1115 to schedule your project for a recommendation from the group. If you have already obtained a recommendation from the community planning group, in your resubmittal, if applicable, please indicate how your project incorporates any input suggested to you by the community planning group.

Bulletin 620 which is available on our department website at <http://www.sandiego.gov/development-services/>, provides some valuable information about the advisory role the Community Planning Group. For your reference, Council Policy 600-24 available on the City website at <http://clerkdoc.sannet.gov/Website/council-policy>, provides "Standard Operating procedures and Responsibilities of recognized Community Planning Committees".

VIII. STAFF REVIEW TEAM: Should you require clarification about specific comments from the staff reviewing team, please contact me, or feel free to contact the reviewer directly. The names and telephone numbers of each reviewer can be found on the attached Cycle Issues Report.

In conclusion, please note that information forms and bulletins, project submittal requirements, and, the Land Development Code, may be accessed on line at <http://www.ci.sandiego.ca.us/development-services/industry/forms.shtml>. Many land use plans for the various community groups throughout the City of San Diego are now available on line at <http://www.sandiego.gov/planning/profiles/>.

Exhibit 10
Page 12 of 117

Page 5
Doug Kearney
January 19, 2006

For modifications to the project scope, submittal requirements or questions regarding any of the above, please contact me prior to resubmittal. I may be reached by telephone at (619)446-5351 or via e-mail at klynchashcraft@sanidiego.gov

Sincerely,



Karen Lynch-Ashcraft
Development Project Manager

KLA

Enclosures:

1. Cycle Issues Report
2. Required Findings
3. Submittal Requirements Report

cc: File
David Flores, San Ysidro Planning and Development Group
Reviewing Staff (Assessment letter only)

Rev 06-24-05/ps

document1



Cycle Issues

1/19/2006 02:25:18 PM

L64A-003A

THE CITY OF SAN DIEGO
Development Services
1222 First Avenue, San Diego, CA 92101-4154

Page 1 of 9

Project Information

Project Nbr: **90476** Title: Sprint/Nextel - Border

Project Mgr: Lynch-Ashcraft, Karen (619) 446-5351 klynchashcraft@sandiego.gov

Review Cycle Information

Review Cycle: 1 Submitted (Multi-Discipline) [Closed]

Opened: 12/2/2005 07:23 AM

Submittal: 12/2/2005 07:37 AM

Deemed Complete on 12/2/2005 14:35:01

Closed: 1/18/2006 02:30 PM

Review Information

Reviewing Discipline: LDR-Planning Review

Requested: 12/2/2005 02:35 PM

Started: 1/11/2006 02:21 PM

Reviewer: Lynch-Ashcraft, Karen (619)446-5351

Assigned: 12/5/2005 07:50 AM

Completed: 1/18/2006 02:22 PM

Next Review Method: Submitted (Multi-Discipline)

Reassigned:

Needed Again: ☒

Cycle Issues

L64A-003A

THE CITY OF SAN DIEGO
Development Services

1222 First Avenue, San Diego, CA 92101-4154

1/19/2006 02:25:18 PM

Page 2 of 9

Cleared? Issue Number and Description

1st Review Cycle

Administrative

- ☐ 1 Industrial Use, RS-1-7, San Ysidro Community Plan. Adjacent to the Multiple Habitat Planning Area. Existing, expired Conditional Use Permit for a 90-foot high monopole and 200 square-foot equipment enclosure. Development regulations in RS-1-7 zone limit height to 30-feet. Planned Development Permit required for height deviation, Process Four. The following issues will require resolve prior to further processing of this CUP/PDP.
- ☐ 2 Since the governing CUP is expired and the existing facility no longer complies with the wireless communication antenna regulations, this proposal is being reviewed as a new project against today's regulations and policies.
- ☐ 3 Understanding that the network was built around this facility, it should also be recognized that the City Council imposed a 10 year restriction because it was intended that if there were a better design or technical option available at the end of the time limit, then the pole would be required to be removed. Over the past ten years, significant improvements have been made in both the design and technical fields and so it is expected that this facility be replaced with a design that more effectively integrates into the property.
- ☐ 4 The property is located adjacent to I-805 and is highly visible. Per section 141.0405 of the Land Development Code, telecommunication facilities shall be designed to have a minimal visual impact on surrounding communities and land uses. In addition to the prominence of this location adjacent to a major freeway corridor, residential land uses have developed around the facility necessitating the replacement of the current design.

Technical

- ☐ 5 Per Council Policy 600-43, this project is a Preference 2 location requiring Circular to demonstrate why a facility in a Preference 1 location could not be utilized.
- ☐ 6 Certain submittal requirements are missing from the initial application. In order for staff to do a thorough review of the project proposal, provide a community plan land use map identifying the search ring, alternative sites, the selected site and all of the existing and approved telecom sites within a one mile radius. With the merger of Sprint and Nextel, please identify both companies' facilities on the map.

Design

- ☐ 7 As submitted, the project proposal does not demonstrate how the monopole will integrate with existing landscape and environs. In order to minimize the visual impact of the entire site, alternative designs and locations must be considered. The Wireless Communication Antenna regulations require integration with the surrounding architecture or environment upon which the facility is located.
- ☐ 8 As with the monopole, the prominent location of this facility does not lend itself to the institutional appearance of the equipment shelter. The shelter should be redesigned to minimize visual impacts. Removal of the ac units and an open roof structure with a lattice cover should be considered.
- ☐ 9 Per current standards for wireless telecommunication facilities, above ground cables are no longer acceptable. In order to minimize the visual impact of the facility, all cables associated with the facility must be routed underground before this permit will be considered.
- ☐ 10 Replacement of the chain link fence with fencing materials that integrate with the redesigned facility will be expected.
- ☐ 11 The RS-1-7 zone has a maximum height limit of 30-feet. In order to exceed that regulation, a Planned Development must be obtained. Revise the submitted candidate findings to justify the need to exceed the height limit while maintaining compliance with the Communication Antenna regulations. Note: a substantial reduction in height will be expected with the next submittal.

Cycle Issues

L64A-003A



THE CITY OF SAN DIEGO
Development Services

1222 First Avenue, San Diego, CA 92101-4154

1/19/2006 02:25:18 PM

Page 3 of 9

Cleared? Issue Number and Description

Miscellaneous

- ☐ 12 The photographs provided show outdoor storage on the property. Section 142.1110(e) of the Land Development Code requires that all outdoor storage be fully screened by a combination of solid walls, fences, landscape or building. The outdoor storage must be removed prior to scheduling a public hearing on this project.
- ☐ 13 Nextel, having been the original permittee and American Tower, the new permittee were aware of the October 3, 1995 expiration date imposed upon this Conditional Use Permit. It is assumed by staff that Nextel has made appropriate accommodations and modifications in their network to facilitate any anticipated changes prompted by new ordinances and policies that have since gone into effect.
- ☐ 14 Timing is crucial on this project since the CUP is expired. It is the city's expectations that serious consideration will be given to these issues and that a timely resubmittal can be expected with most, if not all, of the issues resolved.
- ☐ 15 A complete site plan is required with the next submittal. Illustrate all buildings, parking and landscape existing on site.

Page 12 of

Cycle Issues

THE CITY OF SAN DIEGO

Development Services

1222 First Avenue, San Diego, CA 92101-4154

1/19/2006 02:25:18 PM

L64A-003A

Page 4 of 9

Project InformationProject Nbr: **90476** Title: Sprint/Nextel - Border

Project Mgr: Lynch-Ashcraft, Karen (619) 446-5351 klynchashcraft@sandiego.gov

Review Cycle Information

Review Cycle: 1 Submitted (Multi-Discipline) [Closed]

Opened: 12/2/2005 07:23 AM

Submittal: 12/2/2005 07:37 AM

Deemed Complete on 12/2/2005 14:35:01

Closed: 1/18/2006 02:30 PM

Review Information

Reviewing Discipline: Community Planning Group

Requested: 12/2/2005 02:35 PM

Started: 1/11/2006 02:05 PM

Reviewer: Lynch-Ashcraft, Karen (619)446-5351

Assigned: 12/5/2005 07:52 AM

Completed: 1/11/2006 02:19 PM

Next Review Method: Submitted (Multi-Discipline)

Reassigned:

Needed Again: ☒**Cleared? Issue Number and Description****1st Review Cycle**

1 The Community Group has not provided a recommendation. It is recommended that you contact David Flores, Chair of the San Ysidro Planning and Development Group at (619) 428-1115 to make arrangements to present your project for review at their next available meeting. This group is officially recognized by the City Council as a representative of the community, and an advisor to the City in actions that would affect the community. The community planning group is notified by the city of your pending request and copies of your project plans and documents are sent to them

Cycle Issues

THE CITY OF SAN DIEGO
Development Services

1222 First Avenue, San Diego, CA 92101-4154

1/19/2006 02:25:18 PM

L64A-003A

Page 5 of 9

Project Information

Project Nbr: **90476** Title: Sprint/Nextel - Border

Project Mgr: Lynch-Ashcraft, Karen (619) 446-5351 klynchashcraft@sandiego.gov

**Review Cycle Information**

Review Cycle: 1 Submitted (Multi-Discipline) [Closed]

Opened: 12/2/2005 07:23 AM

Submittal: 12/2/2005 07:37 AM

Deemed Complete on 12/2/2005 14:35:01

Closed: 1/18/2006 02:30 PM

Review Information

Reviewing Discipline: Plan-Long Range Planning

Requested: 12/2/2005 02:35 PM

Started: 1/18/2006 10:05 AM

Reviewer: Millette, Theresa (619)235-5206

Assigned: 12/2/2005 02:44 PM

Completed: 1/18/2006 10:36 AM

Next Review Method: Submitted (Multi-Discipline)

Reassigned:

Needed Again: ☒

Cleared? Issue Number and Description

011705 Review

- ☒ 1 The project site is designated Institution in the San Ysidro Community Plan. The plan does not address the location of telecommunication facilities, and non-residentially designated sites typically do not conflict with the design policies in the plan.
- ☐ 2 As this is a Process 4, the applicant should contact the Chair of the San Ysidro Community Planning Committee, David Flores, at 428-1115 to schedule the item as an agenda action item with the San Ysidro Community Planning Group.



Cycle Issues

1/19/2006 02:25:18 PM

L64A-003A

THE CITY OF SAN DIEGO
Development Services
1222 First Avenue, San Diego, CA 92101-4154

Page 7 of 9

Project Information

Project Nbr: 90476 Title: Sprint/Nextel - Border
Project Mgr: Lynch-Ashcraft, Karen (619) 446-5351 klynchashcraft@sandiego.gov



Review Cycle Information

Review Cycle: 1 Submitted (Multi-Discipline) [Closed]	Opened: 12/2/2005 07:23 AM	Submittal: 12/2/2005 07:37 AM
Deemed Complete on 12/2/2005 14:35:01	Closed: 1/18/2006 02:30 PM	

Review Information

Reviewing Discipline: LDR-Engineering Review	Requested: 12/2/2005 02:35 PM	Started: 12/22/2005 02:16 PM
Reviewer: Nguyen, Khanh (619)687-5988	Assigned: 12/5/2005 02:33 PM	Completed: 12/22/2005 02:22 PM
Next Review Method: Submitted (Multi-Discipline)	Reassigned:	Needed Again: <input checked="" type="checkbox"/>

Cleared? Issue Number and Description

1st Review Cycle

☐ 1 Revise the Site Plan to show the Boundary/property line for APN 638-070-6900.

Exhibit 10
Page 14 of 117



Cycle Issues

THE CITY OF SAN DIEGO
Development Services

1222 First Avenue, San Diego, CA 92101-4154

1/19/2006 02:25:18 PM

L64A-003A

Page 8 of 9

Project Information

Project Nbr: **90476** Title: Sprint/Nextel - Border

Project Mgr: Lynch-Ashcraft, Karen (619) 446-5351 klynchashcraft@sandiego.gov

**Review Cycle Information**

Review Cycle: 1 Submitted (Multi-Discipline) [Closed]

Opened: 12/2/2005 07:23 AM

Submittal: 12/2/2005 07:37 AM

Deemed Complete on 12/2/2005 14:35:01

Closed: 1/18/2006 02:30 PM

Review Information

Reviewing Discipline: LDR-Environmental

Requested: 12/2/2005 02:35 PM

Started: 12/21/2005 01:50 PM

Reviewer: Szymanski, Jeffrey (619) 446-5324

Assigned: 12/13/2005 08:42 AM

Completed: 1/18/2006 12:07 PM

Next Review Method: Submitted (Multi-Discipline)

Reassigned:

Needed Again: ☒

Cleared? Issue Number and Description

Extended Initial Study

- ☐ 1 Additional information is required for Land Use before an environmental review can be completed. A letter will be sent within two weeks following the close of this review cycle detailing the above issues that need to be addressed for this project. A determination of Negative Declaration (ND), Mitigated Negative Declaration (MND) or Environmental Impact Report (EIR) will be made based on this information.
- ☐ 2 The project site is adjacent to the Multi-Habitat Planning Area (MHPA). The MHPA delineates core biological resource areas and corridors and designates them as open space. This project must agree to Land Use Adjacency Guidelines. Due to the adjacency of the MHPA the project development is required to conform with the applicable Land Use Adjacency Guidelines (Sections 1.4.3.) of the MSCP Subarea Plan.
- ☐ 3 Any noise emanating from the facility could be considered a potential impact to the MHPA. Please provide information on the noise levels that will be emitted from the air conditioning units or any other potentially loud equipment on site. This information should be from the manufacturer of the air conditioning units. The information should contain the measured noise levels at varying distances from the units.

Exhibit 10
Page 100 of 112

Cycle IssuesTHE CITY OF SAN DIEGO
Development Services

1222 First Avenue, San Diego, CA 92101-4154

1/19/2006 02:25:18 PM

L64A-003A

Page 9 of 9

Project InformationProject Nbr: **90476** Title: Sprint/Nextel - Border

Project Mgr: Lynch-Ashcraft, Karen (619) 446-5351 klynchashcraft@sandiego.gov

**Review Cycle Information**

Review Cycle: 1 Submitted (Multi-Discipline) [Closed]

Opened: 12/2/2005 07:23 AM

Submittal: 12/2/2005 07:37 AM

Deemed Complete on 12/2/2005 14:35:01

Closed: 1/18/2006 02:30 PM

Review Information

Reviewing Discipline: LDR-Landscaping

Requested: 12/2/2005 02:35 PM

Started: 1/17/2006 03:43 PM

Reviewer: Sills, Chris (619)446-5323

Assigned: 12/8/2005 12:16 PM

Completed: 1/18/2006 12:44 PM

Next Review Method: Submitted (Multi-Discipline)

Reassigned:

Needed Again: ☒**Cleared? Issue Number and Description** **LSCP Review**

- ☐ 1 Screening - Provide a minimum 80% visual screen of plant material between any chain-link fence and the public right(s)-of-way.
- ☐ 2 Plant material shall have a minimum mature height equal to or greater than the proposed fence height.
- ☐ 3 Vines may be used for a maximum of 25% of the screening plant material.
- ☐ 4 Minimum Tree / Improvement Separation Distance: Traffic signals / stop sign- 20 feet; Underground utility lines - 5 feet; Above ground utility structures - 10 feet; Driveways - 10 feet.
- ☐ 5 All landscape and irrigation shall conform to the standards of the City-Wide Landscape Regulations and the City of San Diego Land Development Manual Landscape Standards and all other landscape related City and Regional Standards.
- ☐ 6 All required irrigation systems shall be automatic, electrically controlled, and designed to provide water to all required plantings to maintain them in a healthy, disease-resistant condition (LDC 142.0403.c.2)
- ☐ 7 Maintenance: All required landscape areas shall be maintained by the (please specify). Landscape areas shall be free of debris and litter and all plant material shall be maintained in a healthy growing condition. Diseased or dead plant material shall be satisfactorily treated or replaced per the conditions of the permit.
- ☐ 8 Additional measures may be required pending further review or redesign of project. Reflect all project changes on the Landscape Development Plan.

Exhibit 10
Page 101 of 117

Conditional Use Permit - Section 126.0305

1. The proposed development will not adversely affect the applicable land use plan;
2. The proposed development will not be detrimental to the public health, safety, and welfare;
3. The proposed development will comply to the maximum extent feasible with the regulations of the Land Development Code; and
4. The proposed use is appropriate at the proposed location.

Submittal Requirements

THE CITY OF SAN DIEGO
Development Services

1222 First Avenue, San Diego, CA 92101-4154

1/19/2006 02:24:53 PM

L64A-001

Page 1 of 1

Project Information

Project Nbr: **90476** Title: Sprint/Nextel - Border



Project Mgr: Lynch-Ashcraft, Karen (619) 446-5351 klynchashcraft@sandiego.gov

Review Cycle Information

Review Cycle: 3 Submitted (Multi-Discipline) [Accepted]

Opened: 1/18/2006 02:30 PM

Submittal:

Closed:

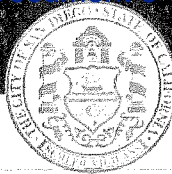
Required Documents:

Package Type	Pkg Qty	Document Type	Qty Needed
Development Plans	6	Site Development Plans	6
Photo Simulations	2	Photo Simulations	2
Telcom Technical Analysis	2	Telcom Adjacent Facility Map	2
		Telcom Coverage Map	2
		Telcom Search Ring	2
		Telcom Site Justification Letter	2
		Telecom Adjacent Land Use Map	2

Exhibit 10
Page 102 of 117



EXHIBIT 11



THE CITY OF SAN DIEGO

April 9, 2007

Brian Cook
Brian Cook and Associates, LLC
4026 Hawk St., Ste. "D"
San Diego, CA 92103
brian@briancookandassociates.com

Dear Mr. Cook:

Subject: American Tower—Mission Valley, PTS# 123937, Job Order # 42-7478

The Development Services Department has completed the 1st review of the above referenced project. In order to expedite the return of comments to you, this brief cover letter is provided in lieu of a full project assessment letter.

Attached you will find a Cycle Issues Report (Enclosure 1) which contains review comments from staff representing various disciplines and outside agencies.

If any additional requirements should arise during the subsequent review of your project, we will identify the issue and the reason for the additional requirement. To resolve any outstanding issues, please provide the information that is requested in the Cycle Issues Report. If you choose not to provide the requested additional information or make the requested revisions, processing may continue. However, the project may be recommended for denial if the remaining issues cannot be satisfactorily resolved.

When you are ready to resubmit, please phone (619) 446-5300 and request an appointment for a "Submittal-Telecom Resubmittal." Resubmittals may also be done on a walk-in basis, however you may experience a longer than desirable wait time. In either case, please check in on the third floor of the Development Service Center (1222 First Avenue) to be placed on the list for the submittal counter. At your appointment, provide the required amount of plans, photo simulations, cover letter indicating how you responded to each issue (attached to each set of plans), and any other documentation included in the Submittal Requirements Report (attached). The plans should be folded to an approximate 8 ½ x 11 inch size.

For your information, please be advised of Section 126.0114 of the Land Development Code, which states: The *development permit* application shall be closed if the *applicant*

Exhibit 11
Page 10 of 117

American Tower – Mission Valley, PTS# 123937

Brian Cook

April 9, 2007

Page 2 of 2

fails to submit or resubmit the requested materials, information, fess, or deposits 90 calendar days from the date the application was deemed complete or the last written request by the City, whichever is later. Once closed, the application plans and other data submitted for review may be returned to the *applicant* or destroyed by the City Manager.

Should you require clarification about specific comments from the staff reviewing team, please contact me, or feel free to contact the reviewer directly.

For modifications to the project scope, submittal requirements, account status or questions regarding any of the above, please contact me prior to resubmittal. I may be reached by phone at (619) 446-5349 or via e-mail at ahempton@sanidiego.gov.

Sincerely,

Alex Hempton
Development Project Manager

Enclosures:

1. Cycle Issues Report
2. Submittal Requirements Report

Exhibit 11
Page 104 of 117

Cycle Issues

THE CITY OF SAN DIEGO
Development Services

4/9/07 2:56 pm

Page 1 of 10

L64A-003A

1222 First Avenue, San Diego, CA 92101-4154

Project Information

Project Nbr: 123937 Title: AmericanTower-Mission Valley
Project Mgr: Hempton, Alexander (619) 446-5349

Ahempton@sandiego.gov



Review Information

Cycle Type: 1 Submitted (Multi-Discipline)	Submitted: 02/15/2007	Deemed Complete on 02/20/2007
Reviewing Discipline: LDR-Planning Review	Cycle Distributed: 02/20/2007	
Reviewer: Hempton, Alexander (619) 446-5349	Assigned: 02/28/2007	
	Started: 03/28/2007	
Hours of Review: 1.00	Review Due: 03/27/2007	
Next Review Method: Submitted (Multi-Discipline)	Completed: 04/09/2007	COMPLETED LATE
	Closed: 04/09/2007	

- The reviewer has indicated they want to review this project again. Reason chosen by the reviewer: First Review Issues.
- We request a 2nd complete submittal for LDR-Planning Review on this project as: Submitted (Multi-Discipline).
- The reviewer has requested more documents be submitted.
- Your project still has 24 outstanding review issues with LDR-Planning Review (all of which are new).
- The reviewer has not signed off 1 job.
- Last month LDR-Planning Review performed 447 reviews, 95.5% were on-time, and 80.5% were on projects at less than < 3 complete submittals.

Planning Review

General Information

Issue	
Cleared?	Num Issue Text
<input type="checkbox"/>	1 Industrial Use, IL-2-1, Mission Valley Community Plan. Existing, expired Conditional Use Permit (CUP 96-0118) for a 176'6" high steel lattice tower supporting telecommunication antennas. Associated equipment is located at the base of the tower. This project requires a CUP and may require a PDP and/or SDP. See details below. (New Issue)
<input type="checkbox"/>	2 This property is adjacent to steep hillsides and potentially sensitive vegetation (Environmentally Sensitive Lands). Refer to the Environmentally Sensitive Lands (ESL) regulations, LDC §143.0101. If changes are proposed, a Site Development Permit (SDP) will be required due to the ESL present. (New Issue)
<input type="checkbox"/>	3 The plans show two parcels. One parcel contains the equipment shelter and the other parcel contains the antenna tower. A cable tray connects the two parcels. Provide detailed ownership information regarding the two parcels. Are both parcels under the same ownership? Is there an agreement to allow development on both parcels? (New Issue)
<input type="checkbox"/>	4 Depending on the detailed ownership information to be submitted, a Planned Development Permit may be required if the development does not comply with the parcel setback requirements. See details regarding the setback below. (New Issue)
<input type="checkbox"/>	5 Since this facility is not camouflaged, it is considered a "Major" telecommunications facility which is decided in accordance with the Conditional Use Permit, Process 3, Hearing Officer decision. (New Issue)
<input type="checkbox"/>	6 The issues in this report must be resolved prior to setting this project for a public hearing. (New Issue)
<input type="checkbox"/>	7 Timing is crucial on this project since the CUP is expired. It is the city's expectations that serious consideration will be given to these issues and that a timely resubmittal can be expected with most, if not all, of the issues resolved. (New Issue)

Setbacks

Issue	
Cleared?	Num Issue Text
<input type="checkbox"/>	8 The setbacks for a lot in the IL-2-1 zone are: Minimum Front Setback - 15 ft. Standard Front Setback - 20 ft. [See also Sections 131.0643(a) and 131.0643(b)] Minimum Side Setback - 10 ft. Minimum Street Side Setback - 15 ft. [See also Sections 131.0643(c) and 131.0643(e)] Standard Street Side Setback - 20 ft. [See also Sections 131.0643(c)n and 131.0643(e)] Minimum Side Setback Abutting Residential - 25 ft. Minimum Rear Setback - 0 [See also Section 131.0643(d)] Standard Rear Setback - 15 [See also Section 131.0643(d)] Minimum Rear Setback Abutting Residential - 25 ft. (New Issue)
<input type="checkbox"/>	9 Demonstrate compliance with the setback requirements and clearly show setbacks on plans. If development does not comply with setback requirements, provide information regarding the necessary findings for a Planned Development Permit. (New Issue)

Height

For questions regarding the 'LDR-Planning Review' review, please call Alexander Hempton at (619) 446-5349. Project Nbr: 123937 / Cycle: 1

p2k v 02.01.61

Alexander Hempton 446-5349

Exhibit 11
Page 107 of 117



Cycle Issues

THE CITY OF SAN DIEGO
Development Services
1222 First Avenue, San Diego, CA 92101-4154

L64A-003A

<u>Cleared?</u>	<u>Issue Num</u>	<u>Issue Text</u>
<input type="checkbox"/>	10	Information Item: There are no height limits for structures in the industrial zones except as limited by the regulations in Chapter 13, Article 2 (Overlay Zones). (New Issue)
Community Plan		
<u>Cleared?</u>	<u>Issue Num</u>	<u>Issue Text</u>
<input type="checkbox"/>	11	The Mission Valley Community Plan states, "Development constructed on natural hillsides should preserve and enhance the beauty of the landscape by encouraging the maximum retention of natural topographic features such as slopes, ridgelines, rock outcroppings, vistas, natural plant formations and trees." Demonstrate on the plans how this facility will meet the Community Plan's objectives. (New Issue)
<input type="checkbox"/>	12	The Community Plan also states, "Wherever possible, preserve and incorporate mature trees and other established vegetation into the overall project design. Improve the appearance of the understructures of buildings and parking areas visible from below by: a. Providing sensitive site and structural design. b. Incorporating structures into the existing hillsides. c. Use appropriate screening materials (including landscaping)." (New Issue)
Design		
<u>Cleared?</u>	<u>Issue Num</u>	<u>Issue Text</u>
<input type="checkbox"/>	13	Since the governing CUP is expired and the existing facility no longer complies with wireless communication antenna regulations, staff is reviewing this project for compliance with Section 141.0405 of the Land Development Code. (New Issue)
<input type="checkbox"/>	14	Understanding that networks were built around this facility, it should also be recognized that the City Council imposed a 10 year restriction because it was intended that if there were a better design or technical option available at the end of the time limit, then the tower would be required to be replaced and/or removed. Over the past ten years, significant improvements have been made in both the design and technical fields and so it is expected that this facility be replaced with a design that more effectively integrates into the property. (New Issue)
<input type="checkbox"/>	15	Other towers are located nearby, but at a smaller scale. Stealth technology is available for telecommunication facilities and is expected to be utilized with this project. It should be noted that the telecommunication facility regulations prohibit "major" telecommunications facilities within ½ mile of each other. By making this project stealth, it will no longer be a "major" facility. (New Issue)
<input type="checkbox"/>	16	The property is located adjacent to I-805, neighboring office and residential uses, and is highly visible to all areas of Mission Valley and the surrounding communities. Per section 141.0405 of the Land Development Code, telecommunication facilities shall be designed to have a minimal visual impact on surrounding communities and land uses. In addition to the prominence of this location adjacent to a major freeway corridor, residential land uses have developed around the facility necessitating the modification of the current design. (New Issue)
<input type="checkbox"/>	17	As submitted, the project proposal does not demonstrate how the tower will integrate with existing landscape and environs. In order to minimize the visual impact of the entire site, alternative designs must be considered. The Wireless Communication Antenna regulations require integration with the surrounding architecture or environment upon which the facility is located. (New Issue)
<input type="checkbox"/>	18	Per current standards for wireless telecommunication facilities, above ground cables are no longer acceptable. In order to minimize the visual impact of the facility, all cables associated with the facility must be routed underground before this permit will be considered. (New Issue)
<input type="checkbox"/>	19	Identify which antennas belong to which carriers. Provide an inventory of all the existing antennas currently on the tower. (New Issue)
<input type="checkbox"/>	20	Provide a combination of native trees and shrubs to help screen the equipment enclosure. Depending on the alternative design proposed, additional landscaping may be required. Refer to the LDR-Landscape review for additional details. (New Issue)
Sensitive Veg./Steep Hillsides		
<u>Cleared?</u>	<u>Issue Num</u>	<u>Issue Text</u>
<input type="checkbox"/>	21	The premises contains Environmentally Sensitive Lands [143.0110]. Specifically, the premises contains: (1) Sensitive biological resources; and (2) Steep hillsides. A Site Development Permit may be required due to the Environmentally Sensitive Lands present on the premises. (New Issue)

For questions regarding the 'LDR-Planning Review' review, please call Alexander Hempton at (619) 446-5349. Project Nbr: 123937 / Cycle: 1



p2k v 02.01.61

Alexander Hempton 446-5349

Exhibit 11
Page 108 of 117



Cycle Issues

4/9/07 2:56 pm

Page 3 of 10

THE CITY OF SAN DIEGO
Development Services

1222 First Avenue, San Diego, CA 92101-4154

L64A-003A

<u>Cleared?</u>	<u>Issue Num</u>	<u>Issue Text</u>
<input type="checkbox"/>	22	Information Item: This project may be exempt from the Environmentally Sensitive Lands regulations if the development will not encroach into the environmentally sensitive lands during or after construction, if the property owner signs an acknowledgment that further development on the property is not permitted unless the development is reviewed and approved pursuant to this division and if the development proposal provides for the following: (A) A 100-foot setback from sensitive biological resources; (B) A 40-foot setback from the top of slope of steep hillsides; (New Issue)
<input type="checkbox"/>	23	It appears that the project is within 40 feet of steep hillsides and within 100 feet of sensitive biological resources, as such a Site Development Permit would be required. (New Issue)
<input type="checkbox"/>	24	Steep Hillsides: Identify on plans the location of steep hillsides. Note: Steep hillsides shall be preserved in their natural state, except that development is permitted in steep hillsides if necessary to achieve a maximum development area of 25 percent of the premises. Demonstrate what percent of the premises has been developed. (This is required if the site is being modified.) (New Issue)

For questions regarding the 'LDR-Planning Review' review, please call Alexander Hempton at (619) 446-5349. Project Nbr: 123937 / Cycle: 1



p2k v 02.01.61

Alexander Hempton 446-5349

Exhibit 11
Page 109 of 117



Cycle Issues

4/9/07 2:56 pm

Page 4 of 10

THE CITY OF SAN DIEGO
Development Services

1222 First Avenue, San Diego, CA 92101-4154

L64A-003A

Review Information

Cycle Type: 1 Submitted (Multi-Discipline)	Submitted: 02/15/2007	Deemed Complete on 02/20/2007
Reviewing Discipline: LDR-Environmental	Cycle Distributed: 02/20/2007	
Reviewer: Cleveland, Travis	Assigned: 02/26/2007	
(619) 687-5983	Started: 03/13/2007	
Hours of Review: 3.00	Review Due: 03/27/2007	
Next Review Method: Submitted (Multi-Discipline)	Completed: 04/06/2007	COMPLETED LATE
	Closed: 04/09/2007	

- . The reviewer has indicated they want to review this project again. Reason chosen by the reviewer: First Review Issues.
- . We request a 2nd complete submittal for LDR-Environmental on this project as: Submitted (Multi-Discipline).
- . The reviewer has requested more documents be submitted.
- . Your project still has 1 outstanding review issues with LDR-Environmental (all of which are new).
- . The reviewer has not signed off 1 job.
- . Last month LDR-Environmental performed 144 reviews, 80.6% were on-time, and 76.3% were on projects at less than < 3 complete submittals.

Extended Initial Study, 4/5/20

<u>Cleared?</u>	<u>Issue Num</u>	<u>Issue Text</u>
<input type="checkbox"/>	1	The current project design is exempt from CEQA per section 15301, Existing Facilities. However, LDR-Planning comments may require a redesign of the project, therefore, further environmental review may be required on the next review cycle. An exemption cannot be issued at this time. (New Issue)

For questions regarding the 'LDR-Environmental' review, please call Travis Cleveland at (619) 687-5983. Project Nbr: 123937 / Cycle: 1



p2k v 02.01.61

Alexander Hempton 446-5349

Exhibit 11
Page 40 of 117



Cycle Issues

4/9/07 2:56 pm

Page 5 of 10

THE CITY OF SAN DIEGO
Development Services

1222 First Avenue, San Diego, CA 92101-4154

L64A-003A

Review Information

Cycle Type: 1 Submitted (Multi-Discipline) **Submitted:** 02/15/2007 Deemed Complete on 02/20/2007
Reviewing Discipline: LDR-Landscaping **Cycle Distributed:** 02/20/2007
Reviewer: Hempton, Alexander **Assigned:** 02/27/2007
(619) 446-5349 **Started:** 02/27/2007
Hours of Review: 0.50 **Review Due:** 03/27/2007
Next Review Method: Submitted (Multi-Discipline) **Completed:** 03/19/2007 **COMPLETED ON TIME**
Closed: 04/09/2007

- The reviewer has indicated they want to review this project again. Reason chosen by the reviewer: First Review Issues.
- We request a 2nd complete submittal for LDR-Landscaping on this project as: Submitted (Multi-Discipline).
- The reviewer has requested more documents be submitted.
- Your project still has 11 outstanding review issues with LDR-Landscaping (all of which are new).
- The reviewer has not signed off 1 job.
- Last month LDR-Landscaping performed 207 reviews, 90.3% were on-time, and 80.5% were on projects at less than < 3 complete submittals.

1st Review

Cleared?	Issue Num	Issue Text
<input type="checkbox"/>	1	Provide additional landscaping to help the wireless facility blend in with the surroundings. Provide a combination of native trees and shrubs. Depending on the proposed redesign of the facility, LDR-Landscape will have additional comments. (New Issue)

Discretionary Review

General Information/Comments

Cleared?	Issue Num	Issue Text
<input checked="" type="checkbox"/>	2	<p>The Landscape Plan Review web page contains links to the following information, consolidated in one location:</p> <ul style="list-style-type: none"> - Landscape Regulations - Landscape Standards - Submittal Requirements - Landscape Calculation Worksheets - No Fee Street Tree Permit Application - and more... <p>http://www.sandiego.gov/development-services/industry/landscape.shtml (This information is located on the Development Services web page under Forms & Guidelines.) (New Issue)</p>

Submittal Requirements

Cleared?	Issue Num	Issue Text
<input type="checkbox"/>	3	<p>Legend: Provide the following information in the legend, by category (e.g., trees, shrubs and groundcover):</p> <ul style="list-style-type: none"> - Symbol for all proposed plant materials. - Botanical names and common names. (Provide more than 2 selections under each symbol.) - Quantities of plant material and on-center spacing for groundcovers. - Mature height/spread of trees and shrubs. - Form and Function of each plant symbol - Symbols for existing plant material to remain - Breakdown in percentages of the various container sizes for each symbol (e.g., 25%, 24" box; 50%, 15 gallon; 25%, 5 gallon) (New Issue)
<input type="checkbox"/>	4	Provide at least three species for each category to allow flexibility at the plan check / construction phase. (Having a selection allows the developer to use an alternate species in case the original species cannot be obtained.) (New Issue)
<input type="checkbox"/>	5	<p>PLANT FORM: Define trees and shrubs by Form. Typical Forms describe shape and may include: Narrow, Oval, Pyramidal, Round, Spreading or Vase-Shaped.</p> <p>(New Issue)</p>
<input type="checkbox"/>	6	<p>PLANT FUNCTION: Define trees and shrubs by Function. Typical Functions describe purpose and may include: Shade, Screen, Accent, Speciman or Scale.</p> <p>(New Issue)</p>
<input type="checkbox"/>	7	<p>Existing Trees and Shrubs: Show all existing trees (two-inch caliper or greater) and shrubs to remain. Label each as "to be removed" or "to remain". Identify trees and shrubs with a dashed symbol, define limits of drip lines, and label height and spread. Provide the botanical and common name and caliper size. Provide the name and condition of any groundcover to remain. Refer to LDM 11.1.6. (New Issue)</p>

For questions regarding the 'LDR-Landscaping' review, please call Alexander Hempton at (619) 446-5349. Project Nbr: 123937 / Cycle: 1



p2k v 02.01.61

Alexander Hempton 446-5349

Exhibit 11
Page 111 of 111



4/9/07 2:56 pm

Page 6 of 10

Cycle Issues

THE CITY OF SAN DIEGO
Development Services

1222 First Avenue, San Diego, CA 92101-4154

L64A-003A

<u>Cleared?</u>	<u>Issue Num</u>	<u>Issue Text</u>
<input type="checkbox"/>	8	Limits of Work Line: Where the entire site is not being developed, indicate with a dashed line the limits of work [LDM 9.1.9]. (New Issue)
<input type="checkbox"/>	9	PROJECT SUBMITTAL REQUIREMENTS: Please revise your plans to be consistent with the Project Submittal Requirements Section 4 - Development Permits/Approvals. Refer to sections 11.0 through 11.3.5 for the minimum items required to submit a Landscape Development Package .
<input type="checkbox"/>	10	The Project Submittal Requirements can be found on the City's website under Forms & Development Information at: http://www.sandiego.gov/development-services/industry/codes.shtml#submanual . (New Issue) LANDSCAPE REGULATIONS: Please review and comply with the Landscape Regulations found on the City's Municipal Code website at: http://clerkdoc.sannet.gov/legtrain/mc/MuniCodeChapter14/Ch14Art02Division04 . (New Issue)
<input type="checkbox"/>	11	Staff highly recommends that a Landscape Architect prepare the plans for submittal. This may avoid delays in processing.
		You may consult the San Diego Chapter of the American Society of Landscape Architects (ASLA) for a list of Landscape Architects in the San Diego area:
		http://www.asla-sandiego.org/content/lookingforla.html (New Issue)

Standard Required Notes

<u>Cleared?</u>	<u>Issue Num</u>	<u>Issue Text</u>
<input type="checkbox"/>	12	Remove the Planting and Irrigation Notes section from sheet L-1. This information is not required during the discretionary review. (New Issue)

For questions regarding the 'LDR-Landscaping' review, please call Alexander Hempton at (619) 446-5349. Project Nbr: 123937 / Cycle: 1



p2k v 02.01.61

Alexander Hempton 446-5349

Exhibit 11
Page 112 of 111



Cycle Issues

THE CITY OF SAN DIEGO
Development Services

1222 First Avenue, San Diego, CA 92101-4154

4/9/07 2:56 pm

Page 7 of 10

L64A-003A

Review Information

Cycle Type: 1 Submitted (Multi-Discipline)	Submitted: 02/15/2007	Deemed Complete on 02/20/2007
Reviewing Discipline: LDR-Engineering Review	Cycle Distributed: 02/20/2007	
Reviewer: Currier, Jim	Assigned: 02/22/2007	
(619) 446-5397	Started: 03/09/2007	
Hours of Review: 1.00	Review Due: 03/27/2007	
Next Review Method: Submitted (Multi-Discipline)	Completed: 03/09/2007	COMPLETED ON TIME
	Closed: 04/09/2007	

- . The reviewer has indicated they want to review this project again. Reason chosen by the reviewer: First Review Issues.
- . We request a 2nd complete submittal for LDR-Engineering Review on this project as: Submitted (Multi-Discipline).
- . The reviewer has requested more documents be submitted.
- . Your project still has 1 outstanding review issues with LDR-Engineering Review (all of which are new).
- . The reviewer has not signed off 1 job.
- . Last month LDR-Engineering Review performed 106 reviews, 96.2% were on-time, and 43.7% were on projects at less than < 3 complete submittals.

Comments

Cleared?	Issue Num	Issue Text
<input type="checkbox"/>	1	Please submit a Storm Water Requirements Applicability Checklist (available from the City's website at: http://www.sandiego.gov/development-services/news/pdf/ds-5601stormwtr.pdf) in order to determine the project's storm water Best Management Practices (BMPs) requirements during construction and post-construction.

(New Issue)

For questions regarding the 'LDR-Engineering Review' review, please call Jim Currier at (619) 446-5397. Project Nbr: 123937 / Cycle: 1



p2k v 02.01.61

Alexander Hempton 446-5349

Exhibit 11
Page 112 of 117



Cycle Issues

4/9/07 2:56 pm

Page 8 of 10

THE CITY OF SAN DIEGO
Development Services

1222 First Avenue, San Diego, CA 92101-4154

L64A-003A

Review Information

Cycle Type: 1 Submitted (Multi-Discipline)	Submitted: 02/15/2007	Deemed Complete on 02/20/2007
Reviewing Discipline: Plan-Long Range Planning	Cycle Distributed: 02/20/2007	
Reviewer: Schoenfisch, Brian (619) 533-6457	Assigned: 02/28/2007	
Hours of Review: 1.00	Started: 03/02/2007	
Next Review Method: Submitted (Multi-Discipline)	Review Due: 03/27/2007	
	Completed: 03/02/2007	COMPLETED ON TIME
	Closed: 04/09/2007	

- The reviewer has indicated they want to review this project again. Reason chosen by the reviewer: First Review Issues.
- We request a 2nd complete submittal for Plan-Long Range Planning on this project as: Submitted (Multi-Discipline).
- The reviewer has requested more documents be submitted.
- Your project still has 1 outstanding review issues with Plan-Long Range Planning (all of which are new).
- The reviewer has not signed off 1 job.
- Last month Plan-Long Range Planning performed 74 reviews, 58.1% were on-time, and 62.9% were on projects at less than < 3 complete submittals.

Long Range Planning

<u>Cleared?</u>	<u>Issue Num</u>	<u>Issue Text</u>
<input type="checkbox"/>	1	The Mission Valley Community Plan states that natural amenities should be retained and enhanced throughout the open space system. Therefore, additional screening should be provided, as to completely surround the site. This screening should include native, drought resistant trees and plants to restore the natural appearance of the site. Large dense trees should be used on both the North and West Elevations as those are in the most need. (New Issue)

For questions regarding the 'Plan-Long Range Planning' review, please call Brian Schoenfisch at (619) 533-6457. Project Nbr: 123937 / Cycle: 1



p2k v 02.01.61

Alexander Hempton 446-5349

Exhibit 11
Page 14 of 117



Cycle Issues

4/9/07 2:56 pm

Page 9 of 10

THE CITY OF SAN DIEGO
Development Services

1222 First Avenue, San Diego, CA 92101-4154

L64A-003A

Review Information

Cycle Type: 1 Submitted (Multi-Discipline)	Submitted: 02/15/2007	Deemed Complete on 02/20/2007
Reviewing Discipline: Community Planning Group	Cycle Distributed: 02/20/2007	
Reviewer: Hempton, Alexander (619) 446-5349	Assigned: 02/28/2007	
Hours of Review: 0.50	Started: 03/01/2007	
Next Review Method: Submitted (Multi-Discipline)	Review Due: 03/27/2007	
	Completed: 03/27/2007	COMPLETED ON TIME
	Closed: 04/09/2007	

- The reviewer has indicated they want to review this project again. Reason chosen by the reviewer: First Review Issues.
- We request a 2nd complete submittal for Community Planning Group on this project as: Submitted (Multi-Discipline).
- The reviewer has requested more documents be submitted.
- Your project still has 1 outstanding review issues with Community Planning Group (all of which are new).
- Last month Community Planning Group performed 88 reviews, 52.3% were on-time, and 51.3% were on projects at less than < 3 complete submittals.

Contact CPG

Cleared?	Issue Num	Issue Text
----------	-----------	------------



1

Please contact the Community Planning Group, listed below, for a recommendation on this project. With the next resubmittal, include a copy of the minutes from the meeting where this project was discussed.

MISSION VALLEY UNIFIED PLANNING ORGANIZATION
LINDA KAUFMAN, CHAIR
7577 MISSION VALLEY ROAD, SUITE 200
SAN DIEGO, CA 92108
(619) 400-0136
lkaufman@hgfenton.com (New Issue)

For questions regarding the 'Community Planning Group' review, please call Alexander Hempton at (619) 446-5349. Project Nbr: 123937 / Cycle: 1



p2k v 02.01.61

Alexander Hempton 446-5349

Exhibit 11
Page 11 of 117



4/9/07 2:56 pm

Page 10 of 10

Cycle Issues

THE CITY OF SAN DIEGO
Development Services

1222 First Avenue, San Diego, CA 92101-4154

L64A-003A

Review Information

Cycle Type: 1 Submitted (Multi-Discipline)	Submitted: 02/15/2007	Deemed Complete on 02/20/2007
Reviewing Discipline: ITC-Communications	Cycle Distributed: 02/20/2007	
Reviewer: Hempton, Alexander	Assigned: 02/28/2007	
(619) 446-5349	Started: 03/28/2007	
Hours of Review: 0.50	Review Due: 03/27/2007	
Next Review Method: Submitted (Multi-Discipline)	Completed: 03/28/2007	COMPLETED LATE
	Closed: 04/09/2007	

- . We request a 2nd complete submittal for ITC-Communications on this project as: Submitted (Multi-Discipline).
- . The reviewer has requested more documents be submitted.
- . Your project still has 1 outstanding review issues with ITC-Communications (all of which are new).
- . Last month ITC-Communications performed 6 reviews, 83.3% were on-time, and 40.0% were on projects at less than < 3 complete submittals.

No issues

Cleared?	Issue Num	Issue Text
<input type="checkbox"/>	1	The proposed telecommunication installation is not likely to cause harmful interference or degradation of the radio service on existing public safety or other city owned communication systems. [KN, 3/1/07] (New Issue)

For questions regarding the 'ITC-Communications' review, please call Alexander Hempton at (619) 446-5349. Project Nbr: 123937 / Cycle: 1



p2k v 02.01.61

Alexander Hempton 446-5349

Exhibit 11
Page 14 of 117



Submittal Requirements

4/9/07 2:57 pm

Page 1 of 1

L64A-001

THE CITY OF SAN DIEGO
Development Services
1222 First Avenue, San Diego, CA 92101-4154

Project Information

Project Nbr: **123937** Title: AmericanTower-Mission Valley
Project Mgr: Hempton, Alexander (619)446-5349

Ahempton@sandiego.gov



Review Cycle Information

Review Cycle: 4 Submitted (Multi-Discipline)

Opened: 04/09/2007 2:56 pm

Submitted:

Due:

Closed:

Required Documents:

<u>Package Type</u>	<u>Pkg Qty</u>	<u>Document Type</u>	<u>Qty Needed</u>
Development Plans	6	Site Development Plans	6
Photo Simulations	2	Photo Simulations	2
Photographic Survey	1	Photographic Survey	1



p2k v 02.01.61

Alexander Hempton 446-5349

Exhibit 16
Page 117 of 117

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24